

ORDINANCE NO. 2009-04

AN ORDINANCE, of the City Council of the City of Wenatchee, Washington, amending Chapter 6A.18 of the Wenatchee City Code pertaining to regulations for the use of City parks.

WHEREAS, WCC 6A.18.240 currently provides that no person except duly authorized law enforcement personnel shall possess a firearm, among other things, in a City park; and

WHEREAS, RCW 9.41.290 preempts a City's authority to enact local laws that prohibit possession of firearms on City property or in City owned facilities; and

WHEREAS, the City Council desires to bring its park regulations into compliance with RCW 9.41.290 by removing the restriction on the possession of firearms within City parks.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WENATCHEE DO HEREBY ORDAIN as follows:

SECTION I

That WCC 6A.18.240(1) shall be and hereby is amended to read as follows:

"No person shall possess a bow and arrow, crossbow, or air or gas weapon in a city park. No person shall discharge across, in, or into any city park area a firearm, bow and arrow, crossbow, air or gas weapon, or any device capable of injuring or killing any person or animal or damaging or destroying any public or private property except for law enforcement officials acting in official capacity, or discharge of a firearm in defense of self or others."

SECTION II

Except as modified herein, Chapter 6A.18 WCC and Ordinance No. 2008-10 shall remain in full force and effect.

SECTION III

If any section, subsection, clause, or sentence of this Ordinance shall be held unconstitutional or invalid, such holding shall not affect the validity of the remaining provisions of this Ordinance.

SECTION IV

This Ordinance shall take effect from and after its passage thirty (30) days from and after publication as provided by law.

PASSED BY THE CITY COUNCIL OF THE CITY OF WENATCHEE, at a regular meeting thereof, this 22 day of January, 2009.


CITY OF WENATCHEE, a Municipal
Corporation

By: 
DENNIS JOHNSON, Mayor

ATTEST:

By: 
VICKI REISTER, City Clerk

APPROVED:

By: 
STEVE D. SMITH, City Attorney